

Illinois Commerce Commission On its Own Motion)	
)	
Investigation Concerning Illinois Bell Telephone)	Docket no. 01-0662
Company's compliance with Section 271 of the)	
Telecommunications Act of 1996)	

REBUTTAL AFFIDAVIT OF MARCI SCHROLL

9-1-1 PROGRAM MANAGER

TELECOMMUNICATIONS DIVISION

ILLINOIS COMMERCE DIVISION

Dated: March 12, 2003

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I. Introduction

1. My name is Marci Schroll and I am the 9-1-1 Program Manager for the Illinois Commerce Commission. I am the same Marci Schroll that filed an affidavit on February 21, 2003 in this docketed proceeding.

II. Purpose of Testimony

2. The purpose of my affidavit is to respond to comments made by Interveners and SBC Illinois concerning the performance measurements in regards to 9-1-1 services.

III. Summary

3. My original affidavit discussed four performance measures that related to 9-1-1 which have been addressed in Mr. Ehr's Rebuttal Affidavit. It is clear that Mr. Ehr and I agree that 9-1-1 services are critical to public safety. However, I believe that SBC Illinois is not meeting Checklist Item 7 because it is not providing nondiscriminatory access to 9-1-1. Mr. Ehr disagrees and states that SBC Illinois' performance results show that SBC Illinois attaches the same importance to 9-1-1 obligations for CLECS as it does for itself. Furthermore, SBC Illinois believes that they have satisfied the parity requirements for all 9-1-1-performance measurements. My updated analysis of the applicable performance measures is as follows.

4. PM102 measured the average time it took SBC Illinois to clear errors in the database. SBC Illinois met the parity standard in all 3 months for PM 102. Staff agrees that this measurement has been satisfied.
5. PM 103 assessed the accuracy of the 9-1-1 database updates through a comparison process. Since no CLEC ever requested a compare file from SBC Illinois there was no data available to measure this PM. Staff would agree that if no CLECs made this request, there would be no data available to assess this measurement.
6. PM 104 measured the average time to update the 9-1-1 database. This PM remains a concern to Staff because SBC Illinois is unable to achieve parity on a consistent basis. Mr. Ehr contends that it failed this PM because of factors beyond its control. According to Mr. Ehr's examples, SBC Illinois may never be able to achieve parity in this measure because CLEC's have a higher percentage of errors in their files and because CLECs submit almost four times the number of 9-1-1 update files as SBC Illinois.

IV. Conclusion

7. Staff has further analyzed SBC Illinois' performance on PM 104 and has reviewed Mr. Ehr's explanation regarding the factors that he claims are not within SBC Illinois' control. The first point Mr. Ehr made was that CLEC files have a higher percentage of errors in their files, which adds time to the

processing of the CLECs file. SBC Illinois implies that, for all practical purposes, the updating times are the same, even though it took SBC Illinois 14 minutes longer in September and 24 minutes longer in November to update CLEC 911 data. Mr. Ehr also believed the 14 and 24 minute delay is minimal enough that it should not have an effect on public safety.

8. That might be a logical assumption. However, the z value indicates that these differences are statistically significant. In this proceeding it was determined that SBC Illinois would need to stay below a z-value of +1.645 in order to hit the PM. The following represents the z-values obtained in the 3 month test period and the two most current months for which data is available (received this month). The only month in the test period that SBC Illinois hit the PM by being below the +1.645 z-value was October 2002.

September 02	1.86
October 02	0.68
November 02	2.43
December 02	2.816
January 03	1.686

9. Staff questions why SBC believes this performance to be satisfactory and whether SBC Illinois has taken any steps to improve the situation. Mr. Ehr's rebuttal affidavit revealed that on average CLEC files had an 18.7% error rate in September and November 2002 versus a 7.3% error rate for SBC for the

same time period. Perhaps SBC Illinois could work with the CLECs to identify ways the CLECs could reduce the number of errors in their files. SBC Illinois did not provide any information as to any steps they had taken to help rectify the problem.

10. The second factor that supposedly contributed to SBC not being able to achieve parity for PM 104 was that CLECs provided four times more files to update than SBC, which resulted in longer average processing times. Mr. Ehr's explanation in this regard is not sufficient. Staff believes the average delays for SBC and the CLECs should be the same, even if there are more CLEC files to update. For example, if there were 25 SBC employees and 100 CLEC employees waiting for an elevator that could take 10 people at a time, I can understand how there would be delays but the average delay should be the same for both SBC and CLEC employees. The delays could only be different if (1) there were separate elevators for SBC and CLEC employees or (2) there is only one elevator but SBC is given priority on that elevator. The same holds true with respect to updating 911 files. A greater number of files may well increase processing or waiting time, but it would increase the waiting time for all participants. This should not increase the average processing time for CLECs versus SBC unless SBC is somehow given priority treatment or has a separate processing queue.

11. In addition, Mr. Ehr believes that the time differences in processing were not significant time differences, and would not affect public safety. The assertion made by Mr. Ehr was that SBC Illinois updates every 9-1-1 file within the 24-hour standard established by the National Emergency Number Association (NENA) which should satisfy this performance measurement.
12. Staff can appreciate the NENA standards and applauds SBC Illinois for meeting the national industry standards. however, these standards are not the agreed upon measurement to be used in this docketed proceeding. The parity standard was set to determine whether SBC Illinois is providing CLECs services in a non-discriminatory manner. The national industry standards will not illustrate whether SBC is providing the same level of service in updating the 9-1-1 database for CLECs that it provides for itself.
13. Additionally, PM 104 has been in place for at least 2 years and SBC Illinois has had two opportunities to change this measure in the 6 month review collaboratives. Staff does not understand why this was never addressed by SBC given its current position.
14. Finally, Staff has reviewed the results for PM 104 for all 12 months (February 2002- January 2003) and SBC Illinois has demonstrated that it is capable of providing non-discriminatory service – having achieved a satisfactory z-value 4 months out of the last 12. Staff would conclude that this measure is not

inherently flawed and is obviously attainable, particularly if SBC were to work with the CLECs concerning ways to minimize the errors in their files. If SBC Illinois were to initiate a process to rectify such problems in the future it could be considered a “win win” situation and would ensure the integrity of the 9-1-1 database. Not only could SBC Illinois better meet this PM, it will prompt CLECs to provide more accurate data, thus ensuring the continued integrity of the 9-1-1 database.

V. Recommendation

15. Staff believes that SBC Illinois has the ability to meet this PM and has demonstrated this in the past. SBC Illinois has not adequately explained how it is meeting the parity standard for PM 104 and cannot verify that it is providing non-discriminatory access to CLECs. Although meeting the NENA standards (by processing updates to the 9-1-1 database within 24 hours) addresses my public safety concerns, it does not indicate whether SBC Illinois is providing non-discriminatory access to 9-1-1. Therefore, in my opinion, SBC Illinois has failed to demonstrate that it is providing non-discriminatory access to 9-1-1 services.

15. If the Commission does not find that SBC Illinois has failed to demonstrate that it is providing non-discriminatory access to 9-1-1 services, then I recommend – in the alternative – that the Commission require one of the

following as a condition to any determination that SBC Illinois is providing non-discriminatory access to 9-1-1 services:

- (1) SBC Illinois should present a reasonable plan to address its failure to consistently update CLEC 9-1-1 database files at the parity standard currently established, and commit to implement that plan in a timely manner; or
- (2) If the Commission does not find that SBC Illinois should be required to achieve parity under the current performance measure standard for Section 271 purposes, then SBC Illinois should present an alternative standard for the updating of 9-1-1 database files and commit to adopt such measure and standard as an additional performance measure and standard pending the next six month collaborative. If the Commission accepts SBC's position that it should not be held to the existing standard, then a reasonable and workable standard is required so that timely updating of 9-1-1 database files on a non-discriminatory basis can be monitored by Staff and the Commission.

State of Illinois)

City of Springfield)

AFFIDAVIT OF MARCI SCHROLL

Marci Schroll, under oath, deposes and states as follows:

1. My name is Marci Schroll. My business address is 527 East Capitol Avenue, Springfield, Illinois 62701. I am the 9-1-1 Program Manager in the Telecommunications Division of the Illinois Commerce Commission.

2. The attached affidavit prepared for use in Phase 2 of Docket 01-0662 is based on my personal knowledge.

3. I hereby swear and affirm that the information contained in the document cited above are true and correct to the best of my knowledge and belief.

Further affiant sayeth not.

Marci Schroll
Marci Schroll

Subscribed and sworn to before me this 12th day of March 2003.

Laura H. Young
Notary Public

